

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
LONTEZ BROOKS, SR.,

Plaintiff,

**9:21-cv-963
(GLS/DJS)**

v.

EDWIN J. ARQUITT et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

LONTEZ BROOKS, SR.

Pro Se

15-B-2329

Groveland Correctional Facility

7000 Sonyea Road

Sonyea, NY 14556

FOR THE DEFENDANTS:

HON. LETITIA JAMES

New York State Attorney General

The Capitol

Albany, NY 12224

MATTHEW GALLAGHER

Assistant Attorney General

Gary L. Sharpe

Senior District Judge

ORDER

The above-captioned matter comes to this court following a Report-Recommendation and Order (R&R) by Magistrate Judge Daniel J. Stewart, duly filed May 19, 2023. (Dkt. No. 39.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections

filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 39) is **ADOPTED** in its entirety; and it is further

ORDERED that defendants' motion for summary judgment (Dkt. No. 33) is **GRANTED**; and it is further

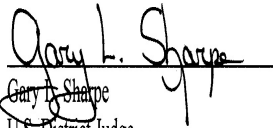
ORDERED that plaintiff's amended complaint (Dkt. No. 14) is **DISMISSED**; and it is further

ORDERED that the Clerk is directed to close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

June 5, 2023
Albany, New York


Gary L. Sharpe
U.S. District Judge